



Practitioner's Docket No.: 1413.02

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Israel Morejon et al. )

Serial No.: 10/064,570 )

Filed: 07/26/2002 )

For: Symmetric Spherical QAM )  
Constellation )

Examiner: Amanda T. Le

Art Unit: 2634

Confirmation No.: 3235

Faxed to Technology Center 2600 at (703) 872-9314  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. Petition and Fee for Extension of Time is attached hereto.

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2634, Attn.: Amanda T. Le, (703) 872-9314 on May 28, 2004.

Dated: May 28, 2004

  
Deborah Preza

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

|  | (Col.1)                                   |       | (Col. 2)                              | (Col. 3)         | SMALL ENTITY |               |
|--|---|-------|---------------------------------------|------------------|--------------|---------------|
|  | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously<br>Paid For | Present<br>Extra | Rate         | Addit.<br>Fee |
| Total  | 25  | Minus | 20                                    | = 5              | x \$18 =     | \$90.00       |
| Indep.   | 6   | Minus | 3                                     | = 3              | x \$86 =     | \$258.00      |
| First Presentation of Multiple Dependent Claim |   |       |                                       |                  | + \$140 =    | \$0           |
| Total  |   |       |                                       |                  | Addit. Fee   | \$348.00      |

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required. Credit Card Form PTO-2038 is attached.

Very respectfully,

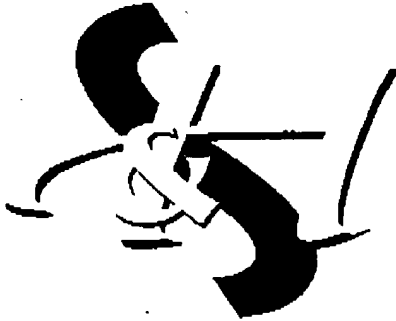


**SIGNATURE OF PRACTITIONER**

Reg. No. 41,849  
 Tel. No.: (727) 507-8558

Anton J. Hopen  
 Smith & Hopen, P.A.  
 15950 Bay Vista Drive, Ste. 220  
 Clearwater, FL 33760

(Amendment Transmittal—page 2)



smith &amp; hopen, p.a.

15950 Bay Vista Drive, Suite 220  
Clearwater, Florida 33760  
727.507.8558 Tel  
727.507.8668 Fax  
www.baypatents.com

RECEIVED  
CENTRAL FAX CENTER

MAY 28 2004

OFFICIAL

Fax

INTELLECTUAL PROPERTY LAW

|        |                                |         |                                |
|--------|--------------------------------|---------|--------------------------------|
| To:    | U.S. Patent & Trademark Office | From:   | Anton J. Hopen                 |
| Attn:  | Amanda T. Le - Art Unit 2634   | Client: | 1413.02                        |
| Fax:   | (703) 872-9314                 | Pages:  | 19 including coversheet        |
| Phone: | (703) 305-4769                 | Date:   | May 28, 2004                   |
| Re:    | USPN 10/064,570                | CC:     | Jabil Circuit, Inc. (assignee) |

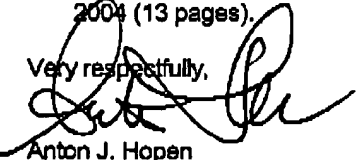
☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Le:

In response to the non-final office action mailed on January 28, 2004, we enclose the following :

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 28, 2004 (2 pages);
- 2) Petition and Fee for Extension of Time with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 28, 2004 (2 pages);
- 3) Credit Card Payment Form PTO-2038 in the amount of \$458.00 (1 page); and
- 4) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated May 28, 2004 (13 pages).

Very respectfully,



Anton J. Hopen  
Reg. No. 41,849

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.